

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION**

JEROLD S. SOLOVY)	
)	
Plaintiff,)	
)	
)	
vs.)	No. 07 CV 6721
)	JUDGE KENDALL
)	MAG. JUDGE ASHMAN
FEDEX GROUND PACKAGE)	
SYSTEM INC., a Delaware Corporation)	
FEDERAL EXPRESS CORPORATION,)	
a Delaware Corporation)	
FEDEX CUSTOM CRITICAL, INC.,)	
A Delaware Corporation)	
FEDEX KINKO'S OFFICE AND)	
PRINT SERVICES, INC.,)	
a Delaware Corporation)	
FEDEX CORP.,)	
a Delaware Corporation)	
FEDEX CORPORATE SERVICES,)	
INC, a Delaware Corporation)	
)	
Defendant.)	
)	

MOTION FOR REMAND

Plaintiff JEROLD S. SOLOVY ("Plaintiff"), by his attorneys, CLIFFORD LAW OFFICES, P.C., moves this Honorable Court to REMAND this cause of action to the Circuit Court of Cook County and states as follows:

1. This case involves allegations of breach of a bailment agreement, conversion, fraudulent misrepresentation, negligent misrepresentation, negligent hiring, negligent supervision, negligent retention, negligence and mischance in connection with jewelry owned by Plaintiff and absconded by Defendants' agent.

2. On October 24, 2007, Plaintiff filed a complaint in the Circuit Court of Cook County, Law Division, Case Number 2007 L 012043, seeking recovery for various torts arising under state law committed by Defendants FEDEX GROUND PACKAGE SYSTEM, INC.; FEDERAL EXPRESS CORPORATION; FEDEX CUSTOM CRITICAL, INC.; FEDEX KINKO'S OFFICE AND PRINT SERVICES, INC.; FEDEX CORP.; and FEDEX CORPORATE SERVICES, INC. (hereinafter referred to collectively as "the FEDEX Defendants"); (See Exhibit A to Plaintiff's Memorandum in Support of Motion for Remand).

3. On November 29, 2007, the FEDEX Defendants filed a Notice of Removal with this Court pursuant to "28 U.S.C. §1441." (Def.'s Not. of Removal at 1). The FEDEX Defendants claim that "If FedEx Ground was involved with the shipment of this package, the United States District Courts have original jurisdiction by reason of federal question jurisdiction under 28 U.S.C. §1331, 28 U.S.C. §1337 and 49 U.S.C. §14706." (Def.'s Not. of Removal at 2). (See Exhibit B to Plaintiff's Memorandum in Support of Motion for Remand).

4. For the reasons stated in the attached memorandum, there is no basis for removal.

WHEREFORE, Plaintiffs request the following relief:

(a) That this Court grant Plaintiffs' Motion to Remand.

Respectfully submitted,

s/
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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2007, I electronically filed MOTION FOR REMAND with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following: Patrick J. Keating, O'Hagan Spencer LLC, 55 W Wacker Drive, Suite 1400, Chicago, Illinois 60601; Edward C. Eberspacher, O'Hagan Spencer LLC, 55 W Wacker Drive, Suite 1400, Chicago, Illinois 60601, and hereby certify that on December 19, 2007, I mailed by United States Postal Service, the document(s) to the following non-registered participants: Thomas W. Murrey, Jr., Federal Express Corporation, 3620 Hacks Cross Road, Building B, Third Floor, Memphis, Tennessee 38125.

Respectfully submitted,

By: /s/ Brian S. Shallcross

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